

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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SFR INVESTMENTS POOL 1, LLC,

Plaintiff,

vs.

NEWREZ LLC D/B/A SHELLPOINT
MORTGAGE SERVICING; DOES I through
X, ROE BUSINESS ENTITIES I through X,
inclusive,

Defendants.

NEWREZ LLC D/B/A SHELLPOINT
MORTGAGE SERVICING,

Counterclaimant,

vs.

SFR INVESTMENTS POOL 1, LLC,

Counterdefendant.

Case No. 2:22-cv-00626-GMN-EJY

ORDER

On June 7, 2023, the Court held a hearing to discuss competing Motions for Protective Order and to Compel. ECF Nos. 73 and 83. *See* ECF No. 97. At that hearing the Court explained to the parties that it had revisited case law and its February 27, 2023 Order (transcribed at ECF No 68), which decided discovery issues raised in submissions at ECF Nos. 56, 59, and 66. The concern for the Court on June 7th was the then-pending Motion for Judgment on the Pleadings filed by Shellpoint highlighting a change in the law that occurred subsequent to the entry of the preliminary injunction. The Court suggested the parties agree to stay the depositions pending the outcome of the Motion for Judgment on the Pleadings. The Court, with the parties' input, set July, 10, 2023 as the due date for briefing on a stay or the submission of a stipulation agreeing to stay discovery pending the outcome of the Motion for Judgment on the Pleadings.

On June 29, 2023, the Court entered its Order granting Shellpoint's Motion for Judgment on the Pleadings dismissing SFR's First Cause of Action for Quiet Title and dissolving the preliminary

1 injunction. ECF No. 99. This Order moots a portion of the Court's February 27, 2023 Order as well
2 as issues raised at the June 7th hearing. With SFR's Quiet Title claim dismissed all subject matters
3 in SFR's 30(b)(6) deposition notice pertaining to that claim are mooted and the need for a stay or
4 briefing on a stay of germane deposition topics is also now moot. These deposition topics include
5 1-4, 8-12, and 15-19. Thus, the Court exercises its authority to revise its prior Order in light of the
6 law of the case dismissing SFR's First Cause of Action and grants a protective order to Shellpoint
7 on SFR's 30(b)(6) deposition topics 1, 2, 3, 4, 8, 9, 10, 11, 12, 15, 16, 17, 18, and 19.

8 However, SFR's 30(b)(6) notice also sought to inquire into matters relating to its second
9 cause of action under NRS 107.200. This cause of action was not raised in the Motion for Judgment
10 on the Pleadings and, therefore, remains pending. Thus, so too does the issue of Shellpoint's
11 deposition of SFR's current tenant and SFR's deposition of Shellpoint's 30(b)(6) on topic 21. These
12 discovery issues are far narrower than the issues debated before the June 29, 2023 Order was issued.

13 Accordingly, IT IS HEREBY ORDERED that upon the Court's reconsideration of its
14 February 27, 2023 Order (appearing as transcribed at ECF No. 68), the Court denies inquiry into
15 SFR's 30(b)(6) deposition topics 1-4, 8-12, and 15-19 as moot.

16 IT IS FURTHER ORDERED that the parties are to appear for an in-person hearing on **July**
17 **17, 2023 at 10 a.m., in Courtroom 3A** to discuss the depositions of SFR's tenant and Shellpoint's
18 30(b)(6) witness on topic 21 as these issues remain pending. No briefing is requested or required.

19 Dated this 30th day of June 2023.

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22 ELAYNA J. YOUCHAK
23 UNITED STATES MAGISTRATE JUDGE
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